

O I P E
Docket: 80002/US01

18/05/05
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT & TRADEMARK OFFICE
JAN 24 2005
The Application of:

Parker et al.

Serial No.: 10/758,678

Group Art Unit: 1711

Filed: January 15, 2004

Examiner: Teressa M. Boykin

For: PROCESS FOR PRODUCTION OF A CARBOXYLIC ACID/DIOL
MIXTURE SUITABLE FOR USE IN POLYESTER PRODUCTION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

LETTER TRANSMITTING TERMINAL DISCLAIMER

Submitted herewith is a Terminal Disclaimer. Please Charge \$130.00 to Deposit Account No. 05-0221 in the name of Eastman Chemical Company. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper or credit any overpayment to Deposit Account No. 05-0221. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Steven A. Owen

Steven A. Owen
Registration No. 50,355

1/18/2005

Date

Eastman Chemical Company
P.O. Box 511
Kingsport, Tennessee 37662
Phone: (423) 229-5534
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper(s) referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kristi D. Huff
Kristi D. Huff

1/20/05

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MIXTURE SUITABLE FOR USE IN POLYESTER PRODUCTIONMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(c)

In accordance with 37 CFR 1.56, the documents listed on the attached Information Disclosure Statement by Applicant are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

This information is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office Action on the merits, but before the mailing of a final action or the notice of allowance.

Accordingly,

the undersigned hereby states (37 CFR 1.97(e)) that

- each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or
- no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under §1.97(c). Please charge Deposit Account No. 05-0221 in the amount of \$180.00. The

Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.17 which may be required by this paper or credit any overpayment to Deposit Account No. 05-0221. A duplicate copy of this paper is attached.

Respectfully submitted,



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TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION

Eastman Chemical Company, a corporation organized and existing under the laws of the State of Delaware, United States of America, having a place of business at Kingsport, Tennessee, the owner of the entire right, title and interest in the present application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to its grant,

of any patent granted on pending second Application Number 10/758,676, filed on January 15, 2004.

of prior Patent No. _____.

The owner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and

any patent granted on the second Application

the prior Patent

are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173

- of any patent granted on the second Application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that such granted patent:
- of the prior Patent, as shortened by any terminal disclaimer filed prior to its grant, in the event that it later:

expires for failure to pay the maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record.

The terminal disclaimer fee under 37 CFR 1.20(d) is included.

Respectfully submitted,



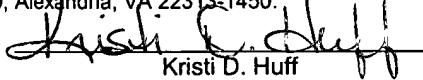
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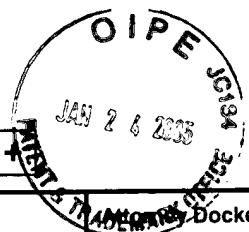
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Kristi D. Huff

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Substitute for form 1449

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

				Docket Number	80002/US01
				First Named Inventor	Parker et al.
COMPLETE IF KNOWN					
				Application Number	10/758,678
				Filing Date	January 15, 2004
				Group Art Unit	1711
Sheet	1	of	1	Examiner Name	Teressa M. Boykin

OTHER - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author(in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
		USPTO Office Action for Application Number <u>10/383,126</u> dated December 22, 2004.	
		USPTO Office Action for Application Number <u>10/271,058</u> dated December 22, 2004.	

Examiner Signature		Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.